



Patent
Attorney's Docket No. 1004640-000046

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	Mail Stop Amendment
Federico Innerebner et al.)	Group Art Unit: 1732
Application No.: 10/798,350)	Examiner: Sang Wook An
Filed: March 12, 2004)	Confirmation No.: 5618
For: ELASTOMER MIXTURES FOR)	
RUBBER MANUFACTURE)	

REPLY TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a reply to the Office Action dated June 2, 2006. A Petition for Extension of Time (one-month) is submitted herewith.

As set forth in the Office Action, Applicants are required under 35 U.S.C. § 121, to elect one of the following groups for prosecution:

- I. Claims 1-34 and 40-42, drawn to the method of manufacturing an elastomer mixture for manufacturing rubber;
- II. Claims 35-37, drawn to device for manufacturing an elastomer mixture for manufacturing rubber; and
- III. Claims 38-39, drawn to an elastomeric mixture.

Pursuant to the Examiner's requirement, Applicants hereby elect **Group I**, claims 1-34 and 40-42, for examination. This election is made **with** traverse.

The Examiner also requires an election between the following species:

- (1) Elastomer present in dissolved form;
- (2) Elastomer present as a suspension; and
- (3) Elastomer present as gel-like compound.

Applicants hereby further elect species (2), elastomer present as a suspension, with traverse. Applicants submit that at least claims 1, 3, 4, 6-19 and 22-42 are readable on the elected species, and at least claims 1, 6-19 and 22-42 are generic.

Applicants submit that the subject matter of the three species set forth in the Office Action is sufficiently related that a thorough search for the subject matter of the elected species necessarily would also encompass a search for the subject matter of the other species. M.P.E.P. § 803 states that “[i]f the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions” (emphasis added). It is respectfully submitted that the policy embodied by M.P.E.P. § 803 should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.


Early and favorable action is respectfully requested. Applicants reserve the right to file one or more divisional applications directed to non-elected subject matter.

Should there be any questions regarding this reply, Applicants' undersigned representative can be reached at the below-listed number.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: August 1, 2006

By: 

Edward A. Brown
Registration No. 35,033

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620